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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,602	06/23/2000	Robert J. Rosko	47004.000073	1459

21967 7590 02/10/2005

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EXAMINER

ALPERT, JAMES M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/599,602

Applicant(s)

ROSKO, ROBERT J.

Examiner

James Alpert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/04/03, 02/12/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

In view of the appeal and request for reinstatement of appeal filed on 11/10/2003 and 4/20/2004 respectively, PROSECUTION IS HEREBY REOPENED. Applicant's arguments with respect to Claims 1-19 have been considered but are moot in view of the new grounds of rejection, which are set forth below. To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2). Please be advised that there is a new examiner to the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lebda, et al., U.S. Patent Application Publication #6385594, in view of Bennett et al., U.S. Patent Application Publication #20010047307.

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**With regard to Claim 1, 7, 14, Lebda teaches the method comprising:**

receiving, over a network, a request to apply for a product in the form of a uniform resource locator,  
(Col. 2 lines 4-6; Col. 3 lines 52-25)

parsing the uniform resource locator to identify the at least one of a plurality of products;  
(Col. 3 lines 52-55, in that access to any web page is implied in a URL)

assembling an application page for display over the network, said page assembled from a plurality of documents (Col. 3 lines 58-61)

receiving information input corresponding to each field contained in the application page. (Col. 4 lines 3-5)

Lebda does not specifically teach the limitations below. The examiner interprets the term "apply" broadly to include submission of information seeking pre-approval. As such, Bennett does teach the following:

the request to apply is for a plurality of products, and specific information is required to be submitted to apply for each one of the products  
(Col. 7, Para. 81)

each page assembled over the network from documents contains at least one field corresponding to the specific information required to apply for one of the products.  
(Col. 2, Para. 18)

the fields displayed by a plurality of documents are specific information required to be submitted to apply for each one of the plurality of products;  
(Col. 7, Para. 81)

It would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to combine the teachings of Lebda relating to presenting and accepting a credit application over a network to include the teachings of Bennett relating to receiving one application for potentially many different types of credit. As indicated in (Col. 1 Para. 7) of Bennett, the motivations for such a combination is simply to save time and expense.

**With regard to Claim 2,15**, Lebda teaches a method comprising:

validating the information input by comparing the information input to validation criteria;  
(Col. 4, lines 8-19)

Lebda does not expressly teach the following limitation:

when the information input fails to correctly compare to the validation criteria  
assembling a second application page including prompts to reenter information and  
receiving corrected information input.

However, the examiner takes Official Notice that reoffering a web page for completion, after discovering validation errors, is old and well known in the art. As such, it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to combine the teaching of Lebda relating to validating a loan application accepted over a network to include a re-presentation of the web page upon discovery the errors. The motivation for such a combination would be to encourage electronic commerce by eliminating the frustration involved in having to start an application over and over from the beginning upon making errors.

**With regard to Claim 3, 16**, the examiner is interpreting the term "decision module" broadly, and includes the process of running a credit report, and matching the results with pre-established lender criteria. As such, Lebda teaches a method further comprising:

forwarding the information input to a decision module for processing the information input. (Col. 4 lines 42-45)

**With regard to Claim 4, 17**, the examiner treats the term a "session manager" broadly such that any kind of "logging in" or maintenance of a personal web site would be considered within the scope of the following limitations:

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determining whether the request to apply originates from a customer that is logged in to a session manager;

accessing stored data regarding the customer if the customer is logged in, wherein the step of assembling an application page includes inserting the stored data in the application page displayed over the network.

As such, Lebda teaches these limitations at (Claim 21, Col. 10, lines 56 – line 67).

**With regard to Claim 5, 18,** the examiner interprets "amount of credit to be extended" as necessary information in almost all personal loans as well as mortgages.

As such, Lebda teaches the method wherein:

the plurality of products includes banking products and the specific information required to apply for one of the plurality of products includes information regarding an amount of credit to be extended. (Col. 4, 20-31, describing how the information collected relates to different type of credit desired)

**With regard to Claim 6, 19,** Lebda teaches the method wherein:

forwarding the information input to a decision module for processing the information input to determine if data input justifies extension of credit.  
(Col. 4 lines 42-45)

**With regard to Claim 8,** the examiner treats the use of the word module to include any collection of hardware or software processes such that the result is effectuated. As such, Lebda teaches a system comprising:

a dynamic application module for receiving a request to apply for a product, dynamically creating an application, requesting data required to apply for the at least on a plurality of products, and receiving the data requested; and  
(Col. 7, lines 23-29)

a decision module in communication with said dynamic application module, said decision module for receiving the data, generating a decision regarding the application,  
(Col. 7, lines 34-44)

providing the decision to said dynamic application module.  
(Col. 7, lines 47-52)

Although Lebda discloses multiple lenders, it does specifically detail multiple products. However, Bennet discloses that multiple financing vehicles are considered at (Col. 16, Claim 5). It would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to combine the teachings of Lebda relating to presenting and accepting a credit application over a network to include the teachings of Bennett relating to receiving one application for potentially many different types of credit. As indicated in (Col. 1 Para. 7) of Bennett, the motivations for such a combination is simply to save time and expense.

**With regard to Claim 9, Lebda teaches a system comprising:**

a universal session manager in communication the said dynamic application module, said universal session manager for creating a verification of an originator of the request; (Col. 8, lines 4-9)

a profile database in communication with said dynamic application module, said profile database for providing stored data regarding the originator of the request. (Col. 8, lines 4-9)

**With regard to Claim 10, Lebda teaches a system wherein:**

the dynamic application module, said universal session manager and said database reside on said host server. (Col. 3, lines 38-51)

**With regard to Claim 11, Lebda teaches a system wherein:**

the host server is connected to a network. (Figure 2)

**With regard to Claim 12, Lebda teaches a system wherein:**

the dynamic application module provides the application in the form of an application page over the network to the originator of the request. (Col. 1, lines 17-45)

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**With regard to Claim 13**, Lebda teaches a system wherein:

a processing database is in communication with said dynamic application module, said processing database for receiving data regarding use of said dynamic application module. (Col. 3, lines 6-11)

### **Conclusion**

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a) Altman et al., U.S. Patent #5689649, November 18, 1997, System for Operation of a Combination Mortgage, Equity Load and Savings Plan.
- b) Dykstra et al., U.S. Patent # 5930776, July 27, 1999, Lender Direct Credit Evaluation and Loan Processing System.

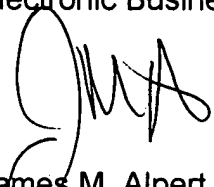
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Alpert whose telephone number is (703) 305-4001. The examiner can normally be reached on M-F 9:00-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.



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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Respectfully,



James M. Alpert  
February 7, 2005

*Alan H. B. B.*  
PRIMARY  
AU. 3624